

1. At all times material to this indictment, Defendant TIFFINEY CLEVELAND (“CLEVELAND”) was employed as a detective sergeant by the East Cleveland Police Department.

2. On or about June 25, 2005, CLEVELAND married Lesean Roberts, not charged herein.

3. The person described below as "the inmate" was an inmate at an Ohio correctional institution from sometime prior to January 2005 until approximately the fall of 2006.

Law Enforcement Data Bases

4. At all times material herein, the Cuyahoga Regional Information System ("CRIS") was a computer-based Criminal Justice Information System designed for use by Criminal Justice Agencies in and surrounding Cuyahoga County. The CRIS computer system contained a communications network and central repository of criminal justice information. It provided access to the statewide Law Enforcement Automated Data System ("LEADS") and the National Crime Information Center ("NCIC"), which contained criminal justice information on driver's licenses, motor vehicles, stolen/recovered property, wanted and missing persons and criminal records.

5. At all times material herein, the NCIC was a computerized index of criminal justice information available to federal, state and local law enforcement and other criminal justice agencies. NCIC data included information regarding cars reported stolen and information regarding individual criminal histories, such as outstanding warrants. The NCIC database was housed at the Federal Bureau of Investigation ("FBI"), Criminal Justice Information Service Division in Clarksburg, West Virginia, and was supported through federal appropriations to the FBI.

6. At all times material herein, CRIS policy, East Cleveland policy and federal law restricted access to the CRIS, LEADS, and NCIC databases to authorized use only.

7. At all times material to this indictment, the City of East Cleveland Police Department, as a law enforcement agency, was granted access to CRIS information. CLEVELAND, as an employee of the City of East Cleveland Police Department, was granted access to CRIS information for official business through a computer login identification number. East Cleveland policy stated that no information obtained from CRIS, LEADS or NCIC could be disseminated to any non-law enforcement personnel.

8. At all times material herein, and pursuant to Title 28, United States Code, Section 534(a)(4), the exchange of records and information contained in the NCIC database was limited to the official use of authorized city officials, and other state and federal officials. Pursuant to Title 28, United States Code, Section 534(f)(1), information from national crime information system databases, consisting of identification records, criminal history records, protection orders and wanted persons records may be disseminated to civil or criminal courts for use in domestic violence or stalking cases, but the statute does not permit access to such records for any other purpose.

9. At all times material herein, the Ohio Revised Code, Section 2913.04(c), prohibited accessing LEADS or disseminating information gained from access to LEADS beyond the scope of the express or implied consent of the LEADS steering committee established by Ohio law.

10. From in or about January 2005, to on or about February 15, 2005, the exact dates to the Grand Jury unknown, in the Northern District of Ohio, Eastern Division, and elsewhere, TIFFINEY CLEVELAND, defendant herein, Lesean Roberts, and the inmate, neither of whom are charged herein, did unlawfully, knowingly, and intentionally combine, conspire, confederate,

and agree together and with each other, and with diverse others known and unknown to the Grand Jury, to distribute at least one kilogram of a mixture or substance containing a detectable amount of cocaine, a Schedule II narcotic drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

Object of the Conspiracy

11. It was an object of the conspiracy for Roberts to acquire multiple kilograms of cocaine in the Northern District of Ohio for distribution in the Columbus, Ohio area and for CLEVELAND to support him in that effort by using her official access to law enforcement databases to investigate a proposed buyer for the cocaine and to determine whether Roberts was under investigation.

Manner and Means

12. The manner and means by which Roberts and CLEVELAND sought to accomplish the object of the conspiracy included Roberts informing the inmate that Roberts wanted to extend his cocaine trafficking operation to the Columbus, Ohio area. Through an intermediary, the inmate arranged for Roberts to speak with a person representing himself to be from Columbus, Ohio and further representing that he was interested in purchasing cocaine. Unknown to Roberts and CLEVELAND, the proposed purchaser was a special agent of the Bureau of Alcohol, Tobacco and Firearms working in an undercover capacity ("UCA"). To support Roberts' proposed cocaine transaction with the UCA, and to insure its security, CLEVELAND used her CRIS access to check the UCA's license plate number. Upon receiving information on the license plate from LEADS and NCIC, CLEVELAND advised Roberts to terminate the transaction. Later, she again accessed CRIS, LEADS and NCIC to determine if any

law enforcement agency had queried the databases concerning Roberts' social security number or the license plate number of his car.

Overt Acts

13. In furtherance of the conspiracy, and to effect its goals and conceal its existence, CLEVELAND and Roberts and others performed overt acts, including, but not limited to, the following, each subparagraph below constituting a separate overt act, all of which occurred in the Northern District of Ohio:

1. On or about January 27, 2005, Roberts talked on the telephone with the UCA about selling one kilogram of cocaine to the UCA.
2. On or about January 27, 2005, Roberts told the inmate that he had spoken to the UCA, stating that the UCA sounded like he was "cool."
3. On or about February 3, 2005, Roberts met the UCA and a second undercover agent in Medina, Ohio at which time Roberts told the UCAs he would sell them one kilogram of 80% pure cocaine for \$25,000, would reduce the price by \$1,000 per kilogram for each deal of five or more kilograms, and would further reduce the price by \$2,000 per kilogram for a purchase of ten or more kilograms.
4. On or about February 3, 2005, at the meeting described above, Roberts told the UCAs his fiance was employed as a detective sergeant with a police department.
5. On or about February 3, 2005 at approximately 4:51 p.m., CLEVELAND used an East Cleveland Police Department computer to access CRIS and entered the UCAs' license plate number, which in turn gave her access to LEADS and NCIC.

6. On or about February 4, 2005, Roberts, in the presence of CLEVELAND, had a conversation in which the following transpired.

A. Roberts said he had asked CLEVELAND to run the UCAs' license plate, and

B. Roberts stated that based on the information she had obtained, CLEVELAND had advised Roberts to "leave that alone."

7. On or about February 4, 2005, Roberts had a conversation with the inmate in which the following transpired.

A. Roberts told the inmate that when local law enforcement officials run a federal plate, the federal agents will call the local law enforcement agency within 48 hours to ask about it.

B. Roberts told the inmate that CLEVELAND was going to be off duty that weekend, but if "they" call, CLEVELAND might "still get the message."

C. Roberts asked the inmate to obtain the name and "ID number" of the intermediary, also an Ohio correctional institution inmate, so he could have CLEVELAND "run a good check on" him.

D. The inmate provided Roberts with the intermediary's last name and inmate number.

8. On or about February 6, 2005, Roberts and the inmate had a conversation in which the following transpired.

A. The inmate told Roberts he had obtained the UCA's "real name" from the intermediary, and suggested that Roberts "run it."

B. Roberts told the inmate he would have CLEVELAND run the UCA's name the next day.

9. On or about February 10, 2005, at approximately 4:51 p.m., CLEVELAND used an East Cleveland Police Department computer to access CRIS and make inquiries on the NCIC database to determine whether any law enforcement alerts or warrants had been entered on the Roberts' social security number or on the license plate of the car Roberts had driven to the February 3, 2005 meeting with the UCAs.

10. On or about February 10, 2005, the inmate asked Roberts to have CLEVELAND "look up" the UCA's name.

11. On or about February 10, 2005, Roberts told the inmate he had asked Cleveland to look up the UCA's name the other day and did not know what happened with it.

12. On or about February 10, 2005, Roberts told the inmate that "Even though it [the sale of cocaine to the UCA] would have been slick, ... I think I'm going to leave that alone. That plate comin' back to that scared ... me. And I told [the UCA on February 4, 2005], ... 'My woman a cop' and he looked like, 'For real,' I said, 'Yeah, ... if you ain't 100 percent, I will know.' So I'm sure by now he know[s] that I know that the [license plate] didn't come back the way it should have come back."

13. On or about February 15, 2005, Roberts and the inmate had a conversation in which the following transpired.

A. Roberts told the inmate that the UCA was probably “cool,” but that CLEVELAND needed a social security number in addition to the name to investigate the UCA.

B. Roberts told the inmate that CLEVELAND was “content with the way” Roberts was doing things right then, but that she did not want him to operate “on a scale like that” referring to the proposed deals with the UCA.

C. Roberts told the inmate to tell the intermediary that Roberts would be in touch with the UCA and that the first deal would probably be for one kilogram of cocaine and that the next deal might be two kilograms.

D. The inmate, in response to the above instruction, advised Roberts to “send somebody else” to do the deal.

All in violation of Title 21, United States Code, Section 846.

The Grand Jury further charges:

COUNTS 2 and 3

(Accessing a Computer in Excess of Authorization to Further a Criminal Act,
18 U.S.C. §§ 1030(a)(2)(C) and 1030(c)(2)(B)(ii))

1. With the exception of paragraph 10 thereof, Count 1 of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

2. On or about the dates listed below, in the Northern District of Ohio, Eastern Division, TIFFINEY CLEVELAND, defendant herein, in furtherance of a criminal act, namely

the conspiracy described in Count 1 of this Indictment, intentionally accessed a protected computer in the East Cleveland Police Department in excess of her authorized access and thereby obtained information for her personal use, and not for any authorized law enforcement purpose, from CRIS, LEADS and NCIC, such conduct involving interstate communication.

<u>Count</u>	<u>Approximate Date</u>	<u>Information Obtained</u>
2	2/3/05	Data on license plate of UCAs' car
3	2/10/05	Data on Roberts' social security number and the license plate of his car

All in violation of Title 18, United States Code, Sections 1030(a)(2)(C) and 1030(c)(2)(B)(ii).

The Grand Jury further charges:

COUNTS 4 through 7

(Accessing a Computer in Excess of Authorization,
18 U.S.C. §§ 1030(a)(2)(C) and 1030(c)(2)(A))

1. Paragraphs 1, 2 and 4 through 9 of Count 1 of this Indictment are re-alleged and incorporated by reference as if fully set forth herein.

General Allegations

2. On or about July 28, 2006, Roberts was arrested in the Northern District of Ohio on drug trafficking charges. The affidavit filed in support of the complaint alleged that a named cooperating witness had provided information about Roberts' drug distribution to law enforcement officials.

3. BB was and is the ex-wife of the cooperating witness mentioned in the complaint described above.

4. FR was and is the father of CLEVELAND's son.

5. At all times material herein, LH, also known as LS, was the girlfriend of Roberts, and RH was the husband of LH.

The Offenses

6. On or about the dates listed below, in the Northern District of Ohio, Eastern Division, TIFFINEY CLEVELAND, defendant herein, intentionally accessed a protected computer in the East Cleveland Police Department in excess of her authorized access and thereby obtained information for her personal use, and not for any legitimate law enforcement purpose, from CRIS, LEADS and NCIC, such conduct involving interstate communication.

<u>Count</u>	<u>Approximate Date</u>	<u>Information Obtained</u>
4	9/28/05	criminal history of FR
5	7/31/06	criminal history and drivers license photo of BB
6	4/30/07	approximately 18 inquiries for address and drivers license information of LH and RH
7	6/11/07	approximately 3 inquiries for drivers license photo and information of LS

All in violation of Title 18, United States Code, Sections 1030(a)(2)(C) and 1030(c)(2)(A).

The Grand Jury further charges:

COUNT 8

(Wire Fraud, U.S.C. §§ 1343 and 2)

1. Paragraphs 1 and 2 of Count 1 of this Indictment are re-alleged and incorporated by reference as if fully set forth herein.

2. From on or about May 27, 2005 to on or about August 28, 2007, in the Northern District of Ohio, Eastern Division, TIFFINEY CLEVELAND, defendant herein, and Lesean Roberts, not charged herein, did knowingly devise and intend to devise a scheme and artifice to defraud The Mortgage Depot and CitiMortgage Incorporated and to obtain money and property by means of false and fraudulent pretenses and representations.

3. It was part of the scheme and artifice to defraud that Roberts applied for a mortgage with The Mortgage Depot, a Nevada Corporation, to finance the purchase of real estate at 20650 Tracy Avenue, Euclid, Ohio.

4. It was a further part of the scheme and artifice to defraud that in connection with his application for a loan, Roberts stated that he was employed as a service supervisor with the City of East Cleveland at an annual salary of approximately \$53,000 when as he and CLEVELAND then well knew, he was not so employed.

5. It was a further part of the scheme and artifice to defraud that CLEVELAND and Roberts provided The Mortgage Depot a Verification of Employment form signed with the name Tiffiney Cleveland, Director of Community Development, telephone number (216) 681-2157, a telephone number assigned to the detective bureau of the East Cleveland Police Department, and falsely verifying Roberts' purported employment with the City of East Cleveland.

6. It was a further part of the scheme and artifice to defraud that the mortgage loan issued by The Mortgage Depot went into foreclosure, causing a loss to CitiMortgage Incorporated which had purchased the mortgage.

7. On or about July 5, 2005, for the purpose of executing the scheme described above, Roberts and CLEVELAND caused a representative of The Mortgage Depot in Prescott, Arizona, to transmit by means of a wire communication, to wit: a telephone call, signals and sounds from Arizona to East Cleveland, Ohio, to verify Roberts' employment.

All in violation of Title 18, United States Code, Sections 1343 and 2.

The Grand Jury further charges:

COUNT 9

(Financial Institution Fraud, 18 U.S.C. §§1344 and 2)

1. Paragraphs 1 and 2 of Count 1 of this Indictment are re-alleged and incorporated by reference as if fully set forth herein.

General Allegations

2. At all times material herein, the deposits of Eaton Family Credit Union were insured by the National Credit Union Administration.

The Scheme

3. From on or about August 12, 2005 to on or about April 27, 2007, TIFFINEY CLEVELAND, defendant herein, and Lesean Roberts, not charged herein, knowingly executed and attempted to execute a scheme and artifice to defraud Eaton Family Credit Union, a financial institution as defined under Title 18, Section 20, United States Code.

4. It was a part of the scheme and artifice to defraud that on or about November 3, 2005, Roberts obtained a loan in the approximate amount of \$25,000 from Eaton Family Credit Union in Euclid, Ohio for the purchase of a 2006 Chevrolet HHR.

5. It was a further part of the scheme and artifice to defraud that Roberts and CLEVELAND supplied a letter to the Eaton Family Credit Union which falsely verified employment for Roberts. The letter, purportedly signed by "Tracy Edwards," falsely stated that: (1) Edwards was the Director of Community Development, (2) Roberts' salary was \$54,000 per year, and (3) the contact number for "Tracy Edwards" was (216) 681-2161. As CLEVELAND and Roberts then well knew, no "Tracy Edwards" was employed by the City of East Cleveland as the Director of Community Development, Roberts was not employed by the City of East Cleveland in any capacity, and (216) 681-2161 was a telephone number assigned to the detective bureau in the East Cleveland Police Department.

6. It was a further part of the scheme and artifice to defraud that CLEVELAND made a false statement to Eaton Family Credit Union to obtain a a three-month extension on a loan payment.

7. As a result of the scheme, CLEVELAND and Roberts caused a loss of approximately \$11,000 to the Eaton Family Credit Union.

Execution of the Scheme

8. On or about August 22, 2005, in the Northern District of Ohio, Eastern Division CLEVELAND and Roberts executed and attempted to execute the scheme and artifice set forth above by supplying to Eaton Family Credit Union the verification of employment letter described above falsely stating that Roberts was employed by the City of East Cleveland.

9. In addition, on or about August 8, 2006 in the Northern District of Ohio, Eastern Division, CLEVELAND, in an attempt to obtain a three-month extension on a loan payment, executed and attempted to execute the scheme and artifice set forth above by stating to a representative of Eaton Family Credit Union that Roberts was in the hospital in a coma following an accident when, as she then well knew: (1) Roberts was then in custody on charges of drug trafficking and was not in a coma, (2) Roberts had been arrested in that case on July 28, 2006 in possession of the HHR which he had used to transport drugs, and (3) the HHR had been impounded by the Westlake Police Department at the time of Roberts' arrest and remained impounded on and after August 8, 2006.

All in violation of Title 18, United States Code, Sections 1344 and 2.

The Grand Jury further charges:

COUNT 10

(Wire Fraud, 18 U.S.C. §§ 1343 and 2)

1. Paragraphs 1 and 2 of Count 1 of this Indictment are re-alleged and incorporated by reference as if fully set forth herein.

2. From on or about June 6, 2006, to on or about March 6, 2007, in the Northern District of Ohio, Eastern Division, Lesean Roberts, not charged herein, and TIFFINEY CLEVELAND, defendant herein, did knowingly devise and intend to devise a scheme and artifice to defraud Aames Financial Corporation and Accredited Home Lenders, Inc. and to obtain money and property by means of false and fraudulent pretenses and representations.

3. It was part of the scheme and artifice to defraud that Roberts applied for a mortgage with Aames Financial Corporation to finance the purchase of real estate at 10743 Lee Avenue, Cleveland, Ohio.

4. It was a further part of the scheme and artifice to defraud that Roberts represented to Aames Financial Corporation in connection with the mortgage application that he was employed as a Service Supervisor at Community Development, telephone number (216) 681-2157 at a salary of \$4,600 per month. In fact, as CLEVELAND and Roberts then well knew, the above telephone number was assigned to the detective bureau in the East Cleveland Police Department, and Roberts had never been employed by the City of East Cleveland.

5. It was a further part of the scheme and artifice to defraud that CLEVELAND and Roberts provided to Aames Financial Corporation a Verification of Rent, signed with the name Tiffiney Cleveland, falsely stating CLEVELAND was Roberts' landlord at 20670 Tracy Avenue, Euclid, Ohio and further stating "All rental payments on time w/no late fees." In fact, at the time of the application, as CLEVELAND then well knew, she was married to Roberts and was not his landlord.

6. It was a further part of the scheme and artifice to defraud that CLEVELAND and Roberts concealed from Aames Financial Corporation that CLEVELAND was Roberts' wife.

7. It was a further part of the scheme and artifice to defraud that the mortgage loan issued by Aames Financial Corporation went into foreclosure, causing a loss to Aames and to Accredited Home Lenders, Inc., which had purchased the mortgage.

8. On or about July 21, 2005, for the purposed of executing the scheme described above, Roberts and CLEVELAND caused a representative of Aames Financial in Los Angeles,

California to transmit by means of a wire communication, to wit: a telephone call, signals and sounds from California to East Cleveland, Ohio to verify Roberts' employment.

All in violation of Title 18, United States Code, Sections 1343 and 2.

The Grand Jury further charges:

COUNT 11

(Conspiracy to Distribute Controlled Substances, 21 U.S.C. § 846)

1. Paragraphs 1 through 3 of Count 1 and paragraph 2 of Counts 4 through 7 of this Indictment are re-alleged and incorporated by reference as if fully set forth herein.

2. From in or about July 28, 2006, to on or about January 19, 2007, the exact dates to the Grand Jury unknown, in the Northern District of Ohio, Eastern Division, and elsewhere, TIFFINEY CLEVELAND, defendant herein, as well as Lesean Roberts, and the sister of CLEVELAND, neither of whom is charged herein, did unlawfully, knowingly, and intentionally combine, conspire, confederate, and agree together and with each other, and with diverse others known and unknown to the Grand Jury, to distribute cocaine hydrochloride, a Schedule II narcotic drug controlled substance, and marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(2) and (b)(1)(C).

Object of the Conspiracy

It was an object of the conspiracy that after his arrest on federal drug charges on July 28, 2006 and during his subsequent detention on those charges, Roberts enlisted the assistance of CLEVELAND to retrieve and distribute a quantity of cocaine and to collect on Roberts' outstanding drug debts.

Manner and Means

The manner and means by which Roberts and CLEVELAND sought to accomplish the object of the conspiracy included Roberts giving instructions on the telephone to CLEVELAND about retrieving and selling cocaine and collecting drug debts, and CLEVELAND complying with those instructions.

Overt Acts

1. In furtherance of the conspiracy, and to effect its goals and conceal its existence, CLEVELAND, Roberts and others performed overt acts, each subparagraph constituting a separate overt act, including, but not limited to, the following, all of which occurred in the Northern District of Ohio:

2. Sometime between on or about July 28, 2006 and on or about August 6, 2006, the exact date unknown to the Grand Jury, Roberts, in coded language, instructed CLEVELAND to remove any evidence of drug trafficking activity from their residence.

3. On or about August 6, 2006, at approximately 3:55 p.m., CLEVELAND and Roberts, using guarded language, had a conversation in which the following transpired.

A. Roberts asked CLEVELAND if Troy had called her back about a cocaine transaction.

B. CLEVELAND responded that he had not, but that she was going to have Roberts' brother handle Troy "because you don't know what nobody doing anything, phones or otherwise."

4. On or about August 6, 2006 at approximately 5:46 p.m., Roberts and his brother had a conversation in which the following took place.

A. Roberts' brother asked Roberts whether he should get Steve to handle Troy for Roberts.

B. Roberts said, "No, because they don't know each other," and asked whether Roberts' brother had talked to CLEVELAND about that.

C. Roberts said he and CLEVELAND had talked "a little about that."

D. Roberts continued that he would write his brother a letter.

5. On or about August 6, 2006, Roberts, his brother, and CLEVELAND had a conversation in which the following transpired.

A. Roberts said that he was writing a letter to his brother about "the thing I was gonna have you get with Troy.... So don't worry about that.... I'm gonna tell [my brother] exactly what he need to do and then he'd tell [CLEVELAND]"

B. CLEVELAND responded, "Okay. Just be careful what you write."

6. On or about August 7, 2006, Roberts mailed his brother a letter indicating in guarded language that he had approximately two ounces of cocaine in a toolbox hidden in the basement of CLEVELAND's mother's house.

7. On or about August 7, 2006, Roberts told his brother that he had just sent a letter to him but to "hold off on that, cause [CLEVELAND] was talking to the dude today anyway" about the cocaine.

8. On or about August 9, 2006, at approximately 6:03 p.m., Roberts and his brother had a conversation in which the following transpired.

A. Roberts' brother said that he had received Roberts' letter and asked what Roberts wanted him to do.

B. Roberts replied that his brother should tear up the letter "cause I got her tryin' to do somethin' else [to sell the cocaine] so we gonna see how to play that first."

9. On or about August 9, 2006, at approximately 7:18 p.m., Roberts and his brother had a conversation in which the following transpired.

A. Roberts' brother asked, "What about that letter of yours [regarding Troy and the cocaine in CLEVELAND'S mother's house]?"

B. Roberts told him not to worry about it, explaining "I don't need to be really messing with him [Troy] anyway 'cause I have to wait [for the money] and I don't need to be waitin' for that. I need that [the money]. I need that now."

10. On or about September 5, 2006, Roberts and CLEVELAND had a conversation in which the following transpired.

A. CLEVELAND asked Roberts, using guarded language, whether he wanted to let her sister try to sell the two ounces of cocaine for "\$28," meaning \$2,800.

B. Roberts responded, "Nope. *** I can't do that. Cause ... a how cold it is. Tell her that," meaning that because of the limited supply of cocaine on the street, Roberts could demand a higher price.

C. Roberts then changed his mind and told CLEVELAND that her sister could "go ahead."

D. CLEVELAND told her sister, who was with her, "...[H]e say \$28 is cool."

E. Roberts then instructed CLEVELAND to tell her sister, "That's it."

F. CLEVELAND followed those instructions, telling her sister, "He [Roberts] said he [Roberts] wants \$28 ... He [Roberts] ain't playin' with you," meaning that Roberts would not take less than \$2,800 for the cocaine.

11. On or about September 7, 2006, Roberts and CLEVELAND had a conversation in which the following transpired.

A. CLEVELAND told Roberts her sister had gotten "\$15," meaning \$1,500.

B. Roberts responded, "Why she get \$15? What she tryin to get more?"

C. CLEVELAND replied, "Yeah. That's what you told me to do. One at a time. She called me and told me she gonna bring that [the \$1,500] to me in the morning when she come over. I'm like thank you Jesus. ... I won't have to stress about [the] mortgage."

12. On or about September 17, 2006, Roberts and CLEVELAND had a conversation in which the following transpired.

A. Roberts asked CLEVELAND what her sister had given her the first time.

B. CLEVELAND responded, "\$15."

C. Roberts said, "She need to be giving you \$15 again [for the second ounce of cocaine]. You tell her *** If I had known it was like that, [a buyer] would have paid top dollar for that stuff. That would have gave me \$16 [\$1,600] a piece for them."

13. On or about October 4, 2006, Roberts and CLEVELAND had a conversation in which the following transpired.

A. Using coded language, Roberts complained to CLEVELAND that she had not received payment from "Duck" and "Deuce" in connection with Roberts' prior drug transactions with them.

B. Roberts said to CLEVELAND that Deuce had “flipped [Roberts’] tennis shoes,” that Deuce had gotten “60 pairs of tennis shoes at cost. And [Deuce] doubling [doubled his money]. All them tennis shoes is gone [sold]. Where my money at? Hit [Deuce] in the mouth.”

14. On or about October 5, 2006, CLEVELAND and Roberts had a conversation in which the following transpired.

A. Roberts asked CLEVELAND if her sister had heard from “Duck.”

B. CLEVELAND replied she would call her sister after she talked to ROBERTS.

C. Roberts told CLEVELAND to call Duck from her cell phone.

D. CLEVELAND asked Roberts how much Duck owed Roberts.

E. Roberts responded he owed him “about 35,” meaning \$3,500.

F. CLEVELAND said she would call Duck when she got time and would get his number from her sister.

15. On or about October 14, 2006, CLEVELAND and Roberts had a conversation in which the following transpired.

A. Using coded language, CLEVELAND told Roberts that the inmate was asking about cocaine Roberts had obtained from the inmate’s wife.

B. In guarded language, Roberts told CLEVELAND that the inmate did not need the cocaine right then because the inmate had other sources of supply, that the cocaine the inmate’s wife had given Roberts “was a little starter [in the drug business] in anticipation of the inmates release from prison.”

16. On or about October 15, 2006, Roberts and CLEVELAND had a conversation in which the following transpired:

A. Using coded language, Roberts and CLEVELAND discussed a drug transaction Roberts had conducted with Deuce that was outstanding when Roberts was arrested, Roberts telling CLEVELAND that it involved "60 pairs of shoes or almost 100 pair of shoes" and Deuce was supposed to have been able to "double [Roberts'] money," and make "\$600 off my shoes."

B. CLEVELAND responded by stating that Deuce had not called her and that she had left him a message.

C. Roberts asked CLEVELAND, "Did you lock that garage back?"

D. CLEVELAND responded in the affirmative.

17. On or about October 17, 2006, CLEVELAND and Roberts had a conversation in which the following transpired.

A. CLEVELAND said Deuce told her she would have it [the money] in three days and went on to say that "It's supposed to be \$60 for 25 pairs of shoes. I remember."

B. Roberts responded, "You should have got a box of 50 shoes or something like. 50 or 60 shoes. Half was mine, half was his."

C. CLEVELAND then said, "I think it was ... yeah, 50 ... 50 shoes for \$60. So that would have gave you \$300. Remember? Cause you sell 50, and make \$300 off if it."

18. On or about November 8, 2006, Roberts and CLEVELAND had a conversation in which the following transpired.

A. Roberts told CLEVELAND to go in his other phone and look for Duck's phone number.

B. Roberts told CLEVELAND he would tell Duck just to give CLEVELAND the money Duck owed Roberts from a drug transaction.

19. On or about November 14, 2006, CLEVELAND, using guarded language, reported to Roberts that she had talked to the inmate, and that the inmate would "get with Deuce" to collect the money Deuce owed Roberts for a drug transaction.

20. On or about December 18, 2006, Roberts and CLEVELAND had a conversation in which the following took place.

A. Roberts asked CLEVELAND whether his "tools and stuff," meaning cocaine, were still at her mother's house.

B. CLEVELAND told Roberts she had brought "it," meaning the cocaine, back home.

C. Roberts said, "You need to put that stuff in the top of that garage."

D. CLEVELAND responded that she had.

E. Roberts said, "Don't forget, 'cause it shouldn't be in the house."

21. On or about January 19, 2007, Roberts had a conversation with the inmate in which the following transpired.

A. Roberts told the inmate, who was with CLEVELAND, that he had tried to put Troy in touch with CLEVELAND "to do a couple things that [he] had left out there ...," referring to previous cocaine transactions, but Troy had stopped answering his telephone.

B. Roberts asked the inmate to tell Troy to give the inmate "a couple stacks," meaning money, that Roberts needed for attorney fees.

C. Roberts told CLEVELAND, to whom the inmate had passed the telephone, that Roberts had discussed Troy with the inmate.

D. CLEVELAND responded that she had also discussed Troy with the inmate.

E. CLEVELAND asked Roberts if Troy had changed his telephone number.

All in violation of Title 21, United States Code, Section 846.

A TRUE BILL.

Original Document - - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.